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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.  | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------|------------------|
| 10/810,724   | 03/29/2004  | John Paul Hanle      | D2XEG001.14          | 9360             |
| 7590 06/19/2006  |             |                      | EXAMINER             |                  |
| Merek, Blackmon & Voorhees, LLC<br>673 S. Washington St.<br>Alexandria, VA 22314 |             |                      | GOINS, DAVETTA WOODS |                  |
|  |             |                      | ART UNIT             | PAPER NUMBER     |
|  |             |                      | 2612                 |                  |

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/810,724

Applicant(s)

HANLE ET AL.

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-19 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/2005</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 5 recites the limitation "the at least one telephonic check in" in line 4. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Sweatte (US Pat. 6,674,367 B2).

In reference to claim 1, Sweatte discloses a) the claimed at least one computer for managing data collected by the stay management system, which is met by airline database (col. 5, lines 48-56), b) the claimed at least one entrance for the first zone having a data entry point for entering data associated with the visitor and communicating the data to the stay management system, which is met by a check in counter within an airport including an airline database for gathering

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information about a passenger; the passenger given a card such that they can be tracked (col. 5, lines 5-47), c) the claimed at least one communication device in communication with the stay management system for communicating data about the visitor during the visitor's stay in the first zone, which is met by wireless communication system for continuously monitoring the location and tracking the passenger with the tag device that was issued at the check-in counter (col. 5, lines 36-67), and d) the claimed at least one exit from the first zone having a data entry point for entering data associated with the visitor and communicating the data to the stay management system, which is met by another checkpoint 7 located at the boarding of an aircraft (exiting the airport), in which the passenger's information is checked again for positive identity by scanning face, fingerprint, etc. (col. 6, lines 1-12).

In reference to claim 2, Sweatte discloses the claimed scanner located adjacent the at least one entrance, which is met by scanner located the check-in counters 3 for scanning eyes, face or documents (col. 5, lines 36-56; col. 6, lines 57-64).

In reference to claim 3, Sweatte discloses the claimed scanner located adjacent the at least one exit of the first zone, which is met by another checkpoint 7 located at the entrance of the aircraft for performing the scanning to enhance security (col. 6, lines 1-12).

***Allowable Subject Matter***

5. Claims 6-19 are allowed.

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6. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: Sweatte discloses a method and system which monitors the entrance and exit (onto an airplane) within an airport by tracking the passenger (visitor) via use of tag as well as scanning information that is checked within the system's database. However, Sweatte nor any other prior art of record disclose the claimed method of monitoring at least a first visitor in a first zone, the zone having at least one entry point and exit point comprising the steps of a) obtaining information concerning a first visitor desiring entry into a first zone prior to entry of the first zone by the first visitor; b) providing at least one computer having memory; c) assigning the first visitor with a unique identifier distinguishing the first visitor from at least one other individual; d) storing in the memory information concerning the first visitor; e) associating the information concerning the first visitor stored in the memory with the unique identifier; f) providing at least one check-in device in the first zone; and g) requiring the first visitor to use the check-in device at least one time during the first visitor's stay in the first zone.

8. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Hoshen (US Pat. 5,461,390), Layson, Jr. (US Pat. 5,731,757), Maier et al. (US Pat. 6,463,127 B1), Tuttle (US Pat. 6,509,829 B1), Mimura et al. (US Pat. 6,747,564 B1) and Calvesio et al. (US Pat. 6,867,683 B2), which disclose security systems.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957.

The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



D.W.G.  
June 12, 2006

Davetta W. Goins  
Primary Examiner  
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